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**DECISION**



**THE COMPTROLLER GENERAL  
OF THE UNITED STATES**  
WASHINGTON, D.C. 20548

**FILE:** B-210651

**DATE:** March 7, 1983

**MATTER OF:** Unit Portions, Inc.

**DIGEST:**

Whether a bidder in fact supplies items manufactured by a small business is a matter of contract administration, which is the responsibility of the contracting agency and not for consideration by GAO.

Unit Portions, Inc. (Unit Portions), protests the award of a contract to three firms under invitation for bids No. DABT47-83-B-0014, a small business set-aside, issued by the Department of the Army (Army). Unit Portions alleges that these bidders will not deliver end items manufactured or produced by small business concerns, which is contrary to the certification made by these firms in their bids. Unit Portions asks that we rule as invalid the contracts to those firms which will not deliver small business products.

We dismiss the protest.

The solicitation contained a requirement that bidders certify that they are small businesses and that if they do not manufacture the supplies to be furnished under the contract, the supplies will be manufactured or produced by a small business. The firms which were awarded contracts certified that they were small businesses and that they would not manufacture the supplies to be furnished, but would provide supplies manufactured by a small business.

Unit Portions does not allege that the bidders took any exception to the solicitation certification that it would furnish an end item manufactured or produced by a small business. Accordingly, the Army's acceptance of these bids resulted in an obligation on the part of the bidder to furnish a small business end item.

Whether these firms comply with this obligation and, in fact, provide supplies manufactured by a small business is a matter of contract administration, which is the primary responsibility of the contracting agency and not for consideration by our Office. Unit Portions Inc., B-202783, October 14, 1981, 81-2 CPD 308. In this connection, we have been advised

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by the Army that it has sent letters to the awardees, copies of which were sent to the protester, advising them that they must supply small business end items and that the Army will be monitoring the delivery to ensure compliance.

We dismiss the protest.

*Harry R. Van Cleve*  
Harry R. Van Cleve  
Acting General Counsel